



Request for Proposals

Statewide On-Call Environmental Services for State and Local Federal-aid Projects

November 4, 2015

Revision 1 - 11-12-15

GENERAL

In accordance with Nebraska Consultants' Competitive Negotiation Act ([Neb. Rev. Stat. §81-1702](#)), the Brooks Act ([40 USC 1101](#)), and [23 CFR 172.5](#), the State of Nebraska, Department of Roads (NDOR), is issuing a Request for Proposal (RFP) for **Statewide On-Call Environmental Services for State and Local Federal-aid Projects**. Qualified consultants are invited to submit a proposal with a statement of qualifications as outlined below. The NDOR's website referred to in this document is located at:

<http://www.transportation.nebraska.gov/rfp/>

All consultants interested in providing professional services for the NDOR are strongly encouraged to review the NDOR's template [Master IDIQ Agreement for Professional Services](#), [Task Order](#), and [Insurance Requirements for Professional Service Providers](#) prior to responding to this RFP. By submitting a proposal in response to this RFP, Consultant agrees to meet the substantive requirements of these documents. These documents can be found on NDOR's website. An agreement will not be executed unless consultant provides proof of meeting the insurance requirements in the form of an [Insurance ACORD](#).

The NDOR is seeking proposals from consultants who wish to be considered to provide these services. The selected consultants will be required to follow the [LPA Guidelines Manual for Federal-Aid Projects](#) and all applicable Federal and State requirements and procedures for the local federal-aid projects.

This RFP does not commit the NDOR to award a contract, to pay any costs incurred in the preparation of a proposal for this request, or to procure or contract for services. The NDOR reserves the right to award contracts to more than one qualified consultant, to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified consultant or to modify or cancel in part or in its entirety the RFP, if it is in the best interest of the NDOR to do so.

SCOPE OF SERVICES

1. Overview of the work:

The Consultant will assist the Nebraska Department of Roads (NDOR) and Local Public Agencies (LPA) with environmental services to be completed in accordance with the NDOR & Federal Highway Administrations' (FHWA) [Programmatic Categorical Exclusion Agreement](#) (April 2015). Environmental services shall be completed in accordance with all applicable local, state and federal laws and regulations. The consultant shall demonstrate experience and expertise in the following environmental disciplines:

- a. Review or Preparation of the *CE Determination Form for Federal-Aid Projects*, to be completed in accordance with the *Instructions and Guidance for Completing the Nebraska Categorical Exclusion Determination Form for Federal-Aid Projects*. The Consultant shall provide CE documentation as directed by NDOR, either by hard copy paper format or by way of the NE-CE “Smart Form” application when available.
- b. Re-evaluation of, or Supplement to, existing Categorical Exclusions Documents, including those developed under the *December 1, 2008 – Programmatic Agreement for NEPA categorically Excluded Transportation Projects* between NDOR and FHWA.
- c. Section 4(f) Determinations in accordance with NDOR’s *Guidance for Completing the Section 4(f) Review Process in Nebraska for Federal-Aid Projects*.
- d. Hazardous Materials Reviews and Site Assessment in accordance with NDOR’s *Hazardous Material Review Guidance Manual*.
- e. Noise Studies, to be completed in accordance with [NDOR’s Noise Analysis and Abatement Policy](#).
 - i. Tasks include field measurement, computer modeling exercises, report preparation, and preparation of information for noise and air conditions for the public involvement process.
 - ii. The Consultant will determine noise levels and impacts at project receptors followed by a determination of feasibility and reasonableness. If noise abatement is found to be feasible and reasonable, the firm may manage the public involvement phase based on the NDOR Noise Analysis and Abatement Policy.
 - iii. If abatement measures are required, the consultant may be requested to determine design parameters (height and length). Firms should demonstrate their experience in designing abatement strategies.
- f. Air Quality Studies to be completed in accordance with the *Memorandum of Understanding for air quality analysis agreement between FHWA and the Nebraska Department of Environmental Quality* and current FHWA Mobile Source Air Toxics (MSAT) guidance. The Consultant shall prepare a qualitative memo comparing MSAT emissions between the no-build and build alternatives, using vehicle miles traveled
- g. Threatened and Endangered Species Reviews in accordance with the *Biological Evaluation Process (Matrix) for Federal-Aid Transportation Program in Nebraska* and other pertinent Biological Surveys and Assessments such as:
 - i. Migratory Bird Treaty Act Evaluation and Field Survey
 - ii. Bald and Golden Eagle Protection Act Evaluation and Survey
 - iii. Nebraska Non-game and Endangered Species Conservation Act Evaluation and Coordination
 - iv. Desktop and/or Field Survey for State and Federally listed Threatened and Endangered Species, or other Wildlife Species of Concern as directed by NDOR.
- h. Historic Properties Survey and Evaluation in accordance with the 1) *Programmatic Agreement among the Federal Highway Administration*, 2) *the Nebraska State Historic Preservation Officer*, 3) *The advisory Council on Historic Preservation*, and 4) *the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal-Aid Highway Program in the State of Nebraska*. This does not include

- historic bridge recordation services.
- i. Other related environmental services for the assessment of project impacts and appropriate agency coordination including, but not limited to the following: 1) Section 6(f) of the Land and Water Conservation Fund Act; 2) Prime and Unique Farmlands (Farmland Protection Policy Act); 3) Wild and Scenic River Act, 4) Floodplain Permitting, 5) Socioeconomic studies, and 6) Environmental Justice assessments.
- j. Assistance with Public Involvement activities in accordance with [NDOR's Nebraska Public Involvement Procedure manual](#) and Tribal Coordination activities as directed by NDOR. Tasks may include preparation of public involvement materials and facilitation of public meetings.
- k. Waterway Determination/Delineation and Permitting;
Wetland Delineation/Determinations to be completed in accordance with NDOR guidance and the [USACE 1987 Wetland Delineation Manual](#) and appropriate Regional Supplements;
Waterway Permitting to be completed in accordance with Section 401 (State Water Quality Certification) and Section 404 of the Clean Water Act, Nationwide and General (Individual) Permit procedures, and/or NE State Title 117;
Waterway Permitting in accordance with Section 9 (U.S. Coast Guard) and Section 10 (US Army Corps of Engineers) of the Rivers and Harbors Act as directed by NDOR. Tasks include the following:
 - i. Preparation of on-site Preliminary Wetland/WOUS Determinations Preparation of Wetland/WOUS delineations using [USACE 1987 Wetland Delineation Manual](#) and appropriate Regional Supplements. Wetland/WOUS delineations shall also follow the NDOR Delineation Practices and Standards.
 - ii. Isolated Wetlands and other Waters of the State shall be delineated and shown on plans and aerial photos as required.
 - iii. Preparation and acquisition of Preliminary or Final Jurisdictional Determination documentation for USACE review, concurrence, and approval. The Consultant will submit this documentation for the review and approval by the NDOR prior to USACE submittal.
 - iv. Prepare Nationwide Permit (NWP) Pre-Construction Notification (PCN) and acquire project authorizations from the USACE.
 - v. Prepare Individual Permit (IP) applications and acquire 404 permit approvals; Prepare Section 404(b)(1) guideline analysis and reporting; Prepare USACE permits decision documentation if required.
 - vi. Coordinate and acquire Section 401 Water Quality Certification and/or State Title 117 (NE Surface Water Quality Standards) signoff/approvals from the NDEQ as appropriate.
 - vii. Coordinate and attend pre-application meetings as required.
 - viii. Additional Services associated with 404 permit acquisitions that may be required on a limited basis including: USACE Section 10 authorization acquisition, coordination and acquisition of US Coast Guard permits, floodplain permit acquisition, coordination and acquisition of Section 401 Water Quality Certifications from the EPA (tribal lands).
- l. Wetland and Stream Mitigation Design and Monitoring, to include the following:
 - i. Develop mitigation site suitability reports to identify potential onsite mitigation or mitigation bank site opportunities addressing existing and potential wetland and/or stream channel site characteristics.

- ii. Develop conceptual and/or final mitigation site grading plans and written mitigation site plans in conjunction with NDOR and appropriate resource agencies, NPO's and landowners.
- iii. Perform mitigation site monitoring using approved NDOR/USACE methods to include routine small site methods and large site transect methods.
- m. Floodplain Permitting and agency coordination (may include Letters of Map Revision).
- n. Water quality assessment, coordination and permitting associated with the National Pollutant Discharge Elimination System (NPDES) under Section 402 of the Clean Water Acts, and/or NDOR's Municipal Separate Storm Sewer System (MS4) program.
- o. Completion of NDOR Initial, Preliminary, or Design Environmental Review Forms.
- p. Project Green Sheet preparation for local Federal-aid projects in accordance with NDOR's [Green Sheet Procedures](#).

2. **Qualifications, Knowledge and Experience:**

- a. NEPA/CE Documentation

The Consultant shall demonstrate experience and efficiency in preparation and coordination of CE documentation for the Nebraska Transportation program. The consultant's Principal Author shall demonstrate continued training and education specifically associated with NDOR environmental guidance manuals and programmatic agreements.

The Consultant team must demonstrate Training and/or Experience with NDOR processes and guidance for the following: Historic Properties Assessment and Section 106 Coordination, Section 4(f) Coordination, Hazardous Materials Evaluation, Threatened and Endangered Species Survey and Evaluation, Public Involvement Plan Development and Coordination, and Social/economic evaluation.
- b. Noise and Air
 - i. The Consultant must have experience in preparing noise studies using the latest FHWA-approved version of the Traffic Noise Model (TNM), and in preparing air quality studies using the latest FHWA-approved version of the Mobile Vehicle Emissions Simulator (MOVES). Work experience must be demonstrated for air quality studies in non- attainment areas as it relates to transportation conformity.
 - ii. The proposal should reference certificates of training for the latest Traffic Noise Model (TNM) and the latest Mobile Vehicle Emissions Simulator (MOVES) for key project personnel that were included with the NEPA certification submittal.
 - iii. The Consultant should also demonstrate knowledge of, or experience and training using FHWA or EPA approved software for air dispersion and intersection modeling (AERMOD, CAL3QHC, CALINE3).
- c. Wetland and Waterway Permitting
 - i. The Consultant's wetland scientist must meet [NDOR's definition of "Qualified Scientist."](#)
 - ii. The Consultant's wetland scientist must also have Nebraska experience with: proficiency in wetland delineation/wetland monitoring principals; and Section 404 permitting experience with the USACE Nebraska Regulatory office.
 - iii. The Consultant must demonstrate experience in the fundamentals of wetland mitigation site planning, design and development.
- d. The Consultant must demonstrate a high level knowledge of transportation engineering concepts, transportation planning, and technical writing.

- e. The Constant must demonstrate an effective Quality Assurance and Quality Control program that has resulted in minimal repeat field work and document resubmittals

3. Software and Equipment Requirements:

- a. The Consultant must have Google Chrome web browser to complete the CE Smart Form using NDOR's NE-CE web-based application.
- b. The Consultant must have an ANSI Type I or 2 noise meter to obtain accurate field measurements of noise levels. The field equipment must be capable of measuring decibels weighted with the A-level frequency response referred to as dB(A).
- c. Consultant may be required to use prepare modeling input files, conduct modeling, and provide results using the latest version of the following software:
CALINE3, CAL3QHC/CAL3QHCR, Motor Vehicle Emission Simulator (MOVES), and Traffic Noise model (TNM)
- d. Consultant shall employ the use of a GPS unit capable of achieving sub-meter accurate data (differentially corrected). All geospatial data shall be post-processed to correct GPS data inaccuracies, compile all required information in the State geodatabase attribute tables, and checked for completeness, accuracy, and conformance to State data standards. Specific post-processing methods are dependent upon the applied software application. Commonly applied (and acceptable) software applications include Trimble® GPS Pathfinder® Office and ESRI's ArcPad® GPSCorrect® GPS Analyst®.

4. Expectations for the Deliverables:

- a. The CE document must conclude with a CE Determination Form, complete with required attachments, signed by the Consultant Principal Author. The document submittal may be by hard copy paper format, or the NE-CE "Smart Form" application when available, as directed by NDOR. All technical documents generated by the Consultant must be in Microsoft Office and/or Adobe Acrobat formats. The final CE submittal must be accompanied by file data, not included as an attachment, to support the CE document. The Consultant must submit documentation of QA/QC review by a qualified NEPA Principal Author.
- b. State funded projects will be supported through generation of technical specialty reports as outlined in Section 1, paragraphs (d) through (p). All technical documents generated by Consultant must be in Microsoft Office and/or Adobe Acrobat formats. The Consultant must submit documentation of QA/QC review by a qualified technical specialist.
- c. All technical specialty reports and studies must conclude with a report and executive summary suitable to support the project environmental document.
- d. Consultant will submit all geospatial data in the State's GIS Geodatabase (.mdb or .gdb). Coordinate system projections for all submittals shall be: NAD 1983 State Plane Nebraska FIPS 2600 (Feet). The submittal will include a completed attribute table with relevant information, such as wetland name and type, for each feature.
- e. The Consultant shall conduct on-site visits required to support all environmental studies, assessments, evaluations and permitting actions. All documents shall be presented to NDOR for review, comment and approval. NDOR reserves the right to make all decisions concerning the conclusions, findings and recommendations of the documents created by Consultant.

- f. As applicable, plans, permits, studies and other documents provided by the Consultant will be incorporated into State project plans and/or used to obtain environmental clearances as needed to bid and construct State or Local (LPA) projects.

This RFP is not intended to include the preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) document. A copy of a detailed scope of service for a typical NDOR project can be found on NDOR's website.

DETAILS

It is anticipated that eight (8) consultants will be awarded contracts under the Indefinite Delivery Indefinite Quantity (IDIQ) or "on-call" procurement process. The proposed two-year contract term will have a guaranteed contract minimum value of \$500 and a maximum value of \$3,000,000. The contract term may be extended up to 6 months. Typical Task Orders that will be awarded under this IDIQ contract will range from \$5,000 to \$300,000. The payment method for the individual Task Order Agreements may be Cost Plus Fixed Fee, Lump Sum, or Specific Rates of Compensation.

Ten (10) consultants will be short-listed for interviews. The evaluation criteria to be used for the short-listing and final selection are outlined below.

The NDOR reserves the right to abandon or terminate any contract at any time and either re-advertise services or utilize its own forces. The NDOR also reserves the right to accomplish services for future phases on all projects with the selected consultant, select another consultant, or utilize its own forces.

The NDOR will not hold a briefing. All information is contained within this RFP and on the NDOR's website. If additional information is deemed necessary, it will be posted on the same web page as this RFP and will be labeled as an update. Consultants interested in this RFP are responsible for checking for updated information.

Interested consultants must have a current [DR Form 497, "Architect, Engineer, and Related Services Certification Form"](#) on file with the NDOR prior to the deadline identified in the Schedule of Activities. If necessary, a completed DR Form 497 should be submitted to: DOR.PDAnnualCertification@nebraska.gov.

Interested consultants must currently be certified to provide NEPA services for NDOR.

Please submit the Drug-Free Workplace Policy separate from the response to this RFP ([Drug Free Workplace Policy Example](#)). The Drug-Free Workplace Policy is a one-time submittal to NDOR. Please do not re-submit this document unless your Policy has changed or you never have submitted this document with a previous proposal. While the "Drug-Free Workplace Policy" is not a submittal requirement, all consultants must have an acceptable "Drug-Free Workplace Policy" on file prior to the deadline identified in the Schedule of Activities. If necessary, the consultant's Drug-Free Workplace Policy may be submitted to: DOR.PDAnnualCertification@nebraska.gov

Inclusion of a Disadvantaged Business Enterprises is not a requirement in the selection of a project team.

Please do not call or write NDOR staff for information regarding the services in this RFP. Email all inquiries/questions to Randy Eldorado, Consultant Services Engineer, at: randy.eldorado@nebraska.gov or call (402) 479-4778.

EVALUATION CRITERIA

Short List (100 pts)

1. Qualifications (40 pts)

- a. Qualifications of the project manager and key team members to perform the services described in the Scope of Services. Refer to minimum requirements identified in the [NEPA Studies Qualifications Instructions](#).
- b. Consultant's knowledge and understanding of environmental services outlined in this RFP.
- c. Consultant has demonstrated they will allocate appropriate and sufficient staff resources or qualified subconsultants to meet project objectives and schedules.
- d. Knowledge of applicable federal regulations, and State and Federal procedures related to providing the environmental services.
- e. Qualifications and capability of key subconsultants to perform the services outlined in this RFP.

2. Performance Data (25 pts)

- a. Cooperation, communication, and timeliness of deliverables with NDOR and/or LPA staff on previous projects. If the consultant's team has no experience with NDOR, the consultant should include three (3) references in proposal, including contact information, that have directly been involved with similar services.
- b. The consultant's team has authored Categorical Exclusion (CE), Wetland/404, and other environmental technical documents with minimal revision.

3. Understanding of the Services to be Provided (35 pts)

- a. Consultant has demonstrated understanding of the key elements of the work
- b. Consultant's team has authored approved Categorical Exclusion (CE) documents, Wetland Delineation Reports and Section 404 Permit Applications, and other environmental technical documents. Consultant should provide a list of no more than ten (10) approved documents.
- c. Consultant has provided comparable projects for which they have been involved.

Final Selection (100 pts)

1. Qualifications (30 pts)

- a. Qualifications of the project manager and key team members to perform the services described in the Scope of Services. Refer to minimum requirements identified in the [NEPA Studies Qualifications Instructions](#).
- b. Consultant's knowledge and understanding of environmental services outlined in this RFP.

- c. Consultant has demonstrated they will allocate appropriate and sufficient staff resources or qualified subconsultants to meet project objectives and schedules.
- d. Knowledge of applicable federal regulations, and State and Federal procedures related to providing the environmental services.
- e. Qualifications and capability of key subconsultants to perform the services outlined in this RFP.

2. Understanding of the Services to be Provided (30 pts)

- a. Consultant has demonstrated understanding of the key elements of the work
- b. Consultant's team has authored approved Categorical Exclusion (CE) documents, Wetland Delineation Reports and Section 404 Permit Applications, and other environmental technical documents. Consultant should provide a list of no more than ten (10) approved documents.
- c. Consultant has provided comparable projects for which they have been involved.

3. Quality of Interview (40 pts)

- a. Consultant's interview was clear and concise.
- b. Consultant addressed evaluation factors adequately.
- c. Consultant answered committee questions logically and thoroughly.

SCHEDULE OF ACTIVITIES

Schedule of Activities	Date	Time
RFP Posted	November 4, 11, 18	
Last Day Updates to RFP may be posted	November 18	5:00 PM
DR Form 497 on File at NDOR	December 2	5:00 PM
Drug-Free Workplace Policy at NDOR	December 2	5:00 PM
Proposals Due	December 2	5:00 PM
Post Short-List Consultants & Interview Schedule	December 9	5:00 PM
Interview	December 16	8am-noon
Post Final Selections	December 18	5:00 PM

IDIQ ORDERING PROCEDURES

When ordering specific on-call design services the NDOR will consider each selected consultant's proposal along with any performance data on file with the NDOR. The NDOR will consider the consultants qualification, experience, past performance and location in awarding task orders.

1. NDOR will request design services in accordance with [48 CFR 16.505](#) in order to:
 - a. Ensure that all selected consultants have a fair opportunity to be considered for each task order.
 - b. Provide for minimum task order requirements specified in the RFP.
 - c. Consider the potential impact on the other orders placed with the consultant.
 - d. Match design services with selected consultants unique qualifications.
2. The selection of a consultant will be based upon the following criteria:
 - a. Professional qualifications of the firm

- b. Specialized experience and technical competence in the type of work required
 - c. Past performance of similar type of work
 - d. Capacity of firm to perform the work in a timely manner
 - e. To fulfill the minimum guarantee
3. Upon selection, NDOR will prepare a Task Order Agreement that will incorporate the provisions of the Master Agreement by reference and includes some or all of the following performance details:
- a. Detailed scope of work
 - b. Detailed description of deliverables
 - c. Description of performance/quality measures
 - d. Timeline for delivery of services

SUBMITTAL OF PROPOSALS

***All information must be received by 5:00 p.m. on Wednesday, December 2, 2015.
No exceptions to this deadline will be given.***

Submittals are to include the following in the order given below:

1. Front cover to include the consultant, subconsultants (if applicable), and number and title of the RFP.
2. A letter of interest not to exceed one (1) page.
3. Organizational Chart not to exceed one (1) page.
4. A narrative responding to the established evaluation factors not to exceed five (5) pages.
5. A maximum of five (5) pages of additional supportive material such as charts, tables, resumes, or photos.
6. [DR Form 498, "Architect, Engineer, & Related Services Supplement to Statement of Qualifications"](#) not to exceed six (6) pages for the consultant and six (6) pages for each subconsultant. A separate DR Form 498 must be submitted for each subconsultant to be used.

Additional submittal requirements are:

1. All material in the submittal must be on 8½ x 11 paper printed on one (1) side, single or double spaced.
2. Submittal covers and dividers between the sections are allowed and not included in the page limit.
3. Fold-out pages are not allowed.
4. Submittals are to be stapled in the upper left corner. No 3-ring binders.

Five (5) copies of the submittal must be sent to the following:

Consultant Services Engineer
Nebraska Department of Roads
Planning and Project Development Division
1500 Highway 2, PO Box 94759
Lincoln NE
PO Box ZIP Code: 68509-4759 Shipping ZIP Code: 68502

An electronic PDF version of the consultant's proposal must be included with the hard copy submittal or it can be emailed to brad.reid@nebraska.gov prior to the submittal deadline.

INTERVIEWS

The short-listed consultants will be notified by telephone of the interview date and time. Interviews will be capped at 20 minutes, followed by up to 5 minutes of Q&A with the selection committee members.

The NDOR will make every effort to post the short-listed consultants and the interview schedule on the NDOR's website prior to the deadline identified in the Schedule of Activities.

The NDOR's selection committees will conduct interviews with the short-listed consultants via telephone or video conference. Consultant may contact the Consultant Services Engineer to make any special arrangements.

Upon completion of all the interviews and approval of the Director, the selected consultants will be notified by telephone. The NDOR will make every effort to post the final selections on the NDOR's website prior to the deadline identified in the Schedule of Activities.

Kyle Schneweis, P.E., Director
Nebraska Department of Roads

EQUAL OPPORTUNITY EMPLOYER